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**OLIFF & BERRIDGE, PLC**

ATTORNEYS AT LAW

October 17, 2008

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**U.S. PATENT AND TRADEMARK OFFICE  
FACSIMILE TRANSMISSION COVER SHEET**

<b>To:</b> In re the Application of  Xing Li et al.  Application No.: 10/709,833  Filed: June 1, 2004  <b>For:</b> SYSTEMS AND METHODS FOR ADJUSTING PIXEL CLASSIFICATION USING BACKGROUND DETECTION	<b>FOR FILING IN THE U.S. PATENT AND TRADEMARK OFFICE</b>  Group Art Unit: 2624  Docket No.: 119021
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Examiner: A. WOLDEMARIAH

Facsimile: (571) 273-8300

From: Robert G. Bachner

Prepared By: emd

Number of Pages Sent (Including cover sheet): 2

**Comments:**

Attached is an Applicant Initiated Interview Request Form.

Sent by: emd

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OCT 17 2008

## Applicant Initiated Interview Request Form

Application No.: 10/709,833 First Named Applicant: Xing LI  
 Examiner: A. WOLDEMARIAM Art Unit: 2624 Status of Application: Pending

## Tentative Participants:

- (1) A. Woldemariam (2) Robert Bachner  
 (3) Mario Costantino (4) Samir Ahmed

Proposed Date of Interview: 10/28/08 Proposed Time: 1:30 PM (AM/PM)

## Type of Interview Requested:

- (1)  Telephonic (2)  Personal (3)  Video Conference

Exhibit To Be Shown or Demonstrated:  YES  NO

If yes, provide brief description: \_\_\_\_\_

## Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Applied Reference(s)	Discussed	Agreed	Not Agreed
(1) <u>§112 rejection</u>	<u>Claims 1 and 8</u>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>§103(a) rejection</u>	<u>Claims 1, 8 and 15</u>	<u>"admitted prior art" and Lin</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continuation Sheet Attached

## Brief Description of Arguments to be Presented:

Background detection based on "sampling" pixels as described in Background of Applicants' specification is not "substantially all of the pixels" as recited in claims 1, 8 and 15.

Regarding §112 rejection "without adjusting an intensity of the pixel" will be deleted from claims 1 and 8.

Claims 1 and 8 still distinguish over Ahmed (U.S. Publication No. 2004/0037473) because Ahmed fails to disclose classifying a pixel of an image, checking the classification, and reclassifying the pixel as recited in claims 15 and similarly in claims 1, and 8.

An interview was conducted on the above-identified application on \_\_\_\_\_

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of substance of this interview (37 CFR 1.133(b)) as soon as possible.

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)